IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4398 OF 2006

Harishchandra Mahadeo Joshi .. Petitioner.
Vs.
Atmaram Kacher Bhoir & Ors. .. Respondents.

Ms.Anita G.Bhaktwani for the petitioner.

CORAM : D.B.BHOSALE, J.

DATED : 4TH OCTOBER, 2006

P.C.:

. Heard learned counsel for the petitioner and the respondent.

2. This petition is directed against the order dated 28.4.2006 passed on application at Exhibit-97 in R.C.S.No.308/2001 by which the said application filed by the respondent-defendant has been allowed. The defendant by that application had prayed for deciding the main suit and the application at Exhibit-35, filed by the petitioner-plaintiff under Order 39 Rule 2-A of the Code of Civil Procedure, together. The suit was filed by the petitioner in October, 1995. The application at Exhibit-35, under Order 39 Rule 2-A of CPC, was filed on 4th July, 1996. Keeping that in view the learned Judge seems to have decided to dispose of the suit and application at Exhibit-35

together. I do not wish to interfere with the impugned order in the present writ petition and I am satisfied that the following order shall meet the ends of justice :

. The trial Court shall dispose of R.C.S. No.308/2001 as also the application at Exhibit-35 as expeditiously as possible and preferrably within a period of six months from the date of receipt of this order.

. With these observations this writ petition is disposed of.

(D.B.Bhosale, J.)